

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

AN ADJUSTMENT OF GAS AND ELECTRIC RATES)	
OF THE UNION LIGHT, HEAT AND POWER)	CASE NO. 90-041
COMPANY)	

O R D E R

On July 13, 1990, The Union Light, Heat and Power Company ("ULH&P") filed a motion for reconsideration or, in the alternative, clarification of the Commission's July 9, 1990 Order compelling ULH&P's responses to data requests propounded by the Attorney General's office, Utility and Rate Intervention Division ("AG"). Attached to ULH&P's motion are supplemental responses to the AG's data request Nos. 22, 39, 47, and 53, and one copy of a computer generated General Ledger in response to request No. 89. ULH&P stresses that its response to AG data request No. 89 satisfies the Commission's July 9, 1990 Order and requests clarification of that Order to recognize that its response is satisfactory. In the alternative, should the Commission determine that the General Ledger does not satisfy ULH&P's obligation, ULH&P seeks reconsideration on the grounds that providing copies of millions of source documents would be burdensome.

On July 24, 1990, the AG filed a response to ULH&P's motion. The AG argues generally that its data requests do not exceed the minimum level of information necessary to adequately review ULH&P's rate application, and that this level of information is

necessary for the AG to participate in this case. The AG further states that its data requests were tailored to eliminate the production of information relating to revenue or expense items that did not exceed a minimum dollar level. Although the AG's five page response discusses its need for information and its belief that ULH&P has overtly frustrated the AG's discovery efforts, the response does not object to ULH&P's motion but, rather, defers to the Commission's discretion for a ruling.

However, on July 26, 1990, the AG filed a motion seeking reconsideration of that portion of the Commission's July 9, 1990 Order directing ULH&P to file only one copy of its response to AG data request No. 89.¹ The AG argues that it is imperative that this response be transmitted to its out-of-state witness for use in this case. The AG further requests a 20 day postponement of the August 14, 1990 hearing.

Based on the motions and being advised, the Commission is of the opinion and hereby finds that the General Ledger, filed by ULH&P in response to AG data request No. 89, fully satisfies the Commission's July 9, 1990 Order. However, a review of the General Ledger reveals that the document is not so voluminous to deny the production of a duplicate for use by the AG. The Commission further finds that a short postponement of the hearing is reasonable under the circumstances.

¹ Although the AG's motion refers to ULH&P's response as "Schedule C-15 Trial Balance," no such schedule exists in this case.

IT IS THEREFORE ORDERED that:

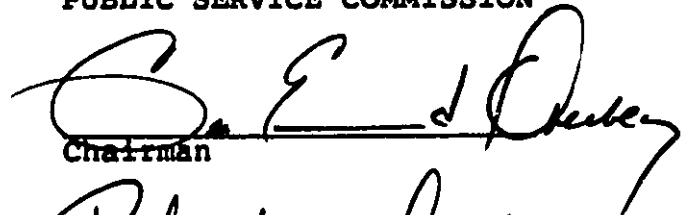
1. ULH&P's motion for clarification be and it hereby is granted to the extent that ULH&P's General Ledger filed on July 13, 1990 satisfies ULH&P's obligations arising from the Commission's July 9, 1990 Order.

2. ULH&P shall provide the AG a duplicate copy of the General Ledger no later than August 3, 1990.

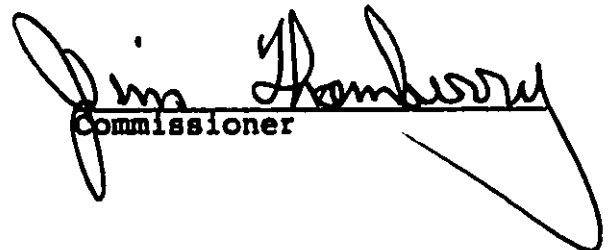
3. The August 14, 1990 hearing be and it hereby is rescheduled to August 22, 1990, at 10:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky.

Done at Frankfort, Kentucky, this 1st day of August, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director